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JUN 14 1994

Department of Water Resources
Adjudication Bureau

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re the General Adjudication of Rights
to the Use of Water From the Snake River
Basin Water System.

Case No. 39576

STANDARD FORM 3

The State of Idaho, ex rel. R. Keith
Higginson in his official capacity as
Director of the Idaho Department
of Water Resources,

STANDARD FORM FOR NOTICE
OF CHANGE IN ADDRESS

OR

Petitioner,

CONSENT TO SUBSTITUTION OF
PARTY

vs.

The United States; the State of Idaho; and
all Claimants to the Use of Water From
the Snake River Basin Water System,

Respondents.

INSTRUCTIONS FOR USE

This form must be used to provide notice of change in address or to substitute a party whose water right recommendation is in a director's report which has been filed with the court. The filing of Standard Form 3 cannot result in a contested matter. A hearing will not be scheduled.

This form has been adopted by the court in *SRBA Administrative Order 1* (amended June 21, 1993), Section 4A, which may be consulted for further information.

Standard Form 3 shall not operate to excuse compliance with the statutory requirements of I.C. § 42-1409(7) where a water right recommendation is not before the court.

As used in this form, the term "prior claimant/seller" means any person who, pursuant to I.C. § 42-1409(2), (3) and (6), filed a notice of claim asserting the right to the use of water or on whose behalf the right to the use of water was asserted. "New claimant/purchaser" means any successor in interest of a "prior claimant/seller," whether the interest is acquired by purchase, gift, inheritance or other means.

A *Consent to Substitution of Party (Substitution)* must be signed by the prior claimant/seller and the new claimant/purchaser. The *Substitution* shall be filed by the new claimant/purchaser.

Check either the *Change in Address* or *Consent to Substitution of Party* box and fill in the requested information. A party may copy or reproduce the standard form. The text of the form must be on the front and back of each page, exactly as it appears here.

Follow the instructions on the form or the court will not accept it for filing. The Verification and the Certificate of Mailing must be completed.

The standard form may be obtained from the Idaho Department of Water Resources and the court. You must provide a copy of this form to each party, or to their legal counsel, in any subcase in which you are a party.

☐ CHANGE IN ADDRESS

My name is _____

I am the claimant of _____

(Insert each water right number)

I have filed an objection/response to the following water right(s) _____

(Insert each water right number)

My new mailing address is _____

My phone number is: Work _____ Home _____

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☒ **CONSENT TO SUBSTITUTION OF PARTY**

My name is Richard L. Kechter

My address is 218 West 13th
Burley, Idaho 83318

My phone number is: Work 208-678-5607 Home

The name and address of the party who I wish to be substituted for are:

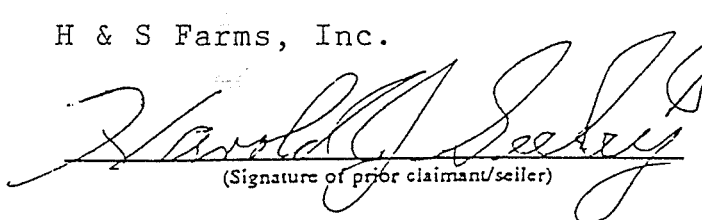
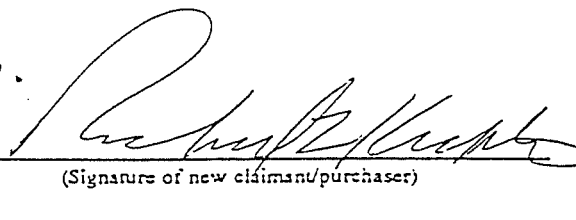
H & S Farms, Inc.
3434-AE - 4000 North - Route 1
Kimberly, Idaho 83341

I am the new claimant/purchaser of 36-02360, 36-02339, 36-02340,
36-02431, 36-15165. and
(Insert each water right number)

I am submitting proof of acquisition of the interest of the prior claimant/seller, *which is required by the court* to support my *Substitution*. Proof must contain a legal description of the property, including the water right numbers conveyed. You must describe the documents you are submitting.

Warranty Deed

H & S Farms, Inc.

 ^{Pres.}
(Signature of prior claimant/seller) 
(Signature of new claimant/purchaser)

☒ **ATTORNEY OF RECORD COMPLETING FORM**

My name is William A. Parsons

I am the attorney of record for Richard L. Kechter
(Identify party/claimant)

My address and phone number are Box 910, Burley, Idaho 83318
Phone 208-678-8382

VERIFICATION

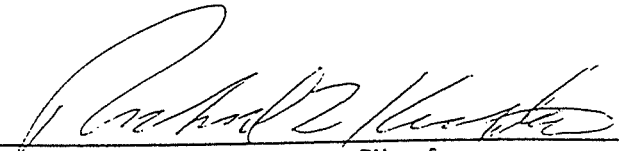
(Must be completed for either a *Notice of Change in Address* or for *Consent for Substitution of Party*)

State of Idaho

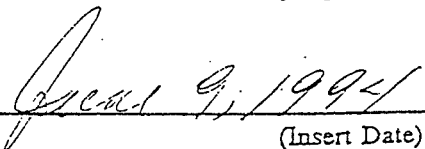
County of Cassia

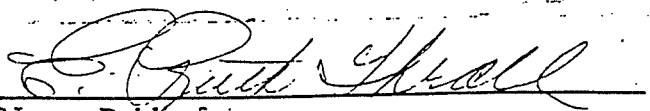
Richard L. Kechter, being first duly sworn, upon oath, deposes and says:
(insert name of party/claimant filing form)

That I am the person or entity filing this form, that I am a water right claimant or party or their successor in interest, defined by I.C. §§ 42-1401A(1), (7) or (10); and that I have read this form, know its contents and that the statements are true to the best of my knowledge and belief.


Signature of person filing form

By: 
Attorney signing in representative capacity

Subscribed and sworn to before me on  June 9, 1994
(Insert Date)


Notary Public for _____
Residing at: _____
My Commission expires: _____

E. RUTH THRALL
NOTARY PUBLIC
STATE OF IDAHO
Residing at Burley, Idaho
My Commission Expires 5/10/99

INSTRUCTIONS FOR MAILING

You must mail the form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. FAX filings will not be accepted by the SRBA Clerk of the Court.

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on June 9, 1994, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. A *Change of Address* must be served on each party, or their attorney, in each subcase in which you are a party at the following address(es):

3. A *Consent to Substitution of Party* must be served on the prior claimant/seller or their attorney at the following address:

<u>John Hohnhorst</u>	<u>H & S Farms</u>
<u>Box 389</u>	<u>Route 1</u>
<u>Twin Falls, Idaho 83303-0389</u>	<u>Kimberly, Idaho 83341</u>

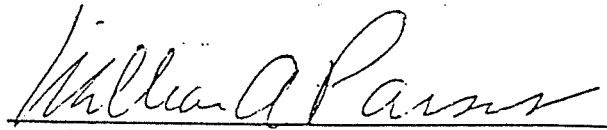
4. A *Consent to Substitution of Party* must be served on each party, or their attorney, in each subcase in which the prior claimant/seller is a party at the following address(es):

4. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

5. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734

A handwritten signature in cursive script, reading "William A. Parns", written in dark ink over a horizontal line.

(Signature of person or attorney mailing the form)

940714

RECORD REQUEST

Oil and Title & Escrow, Inc.

FEB 14 3 26 PM '94

JL RECORDS, IDAHO

FEES 12.00 DED 45

WARRANTY DEED

THIS INDENTURE, made this 4th day of February, 1994, between H & S FARMS, INC., an Idaho corporation, Route 1, Kimberly, Idaho 83341, ("Grantor"), and RICHARD L. KECHTER, a single person, whose address is 213 West 13th Street, Burley, Idaho 83318, ("Grantee").

W I T N E S S E T H:

That the Grantor for and in consideration of the sum of Ten Dollars (\$10.00), lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold and by these presents does grant, bargain and sell, convey and confirm unto the Grantee, and to the heirs and assigns of Grantee forever, all of the following described real estate situated in the County of Jerome, State of Idaho, to-wit:

That property more particularly described on Exhibit 1 attached hereto and made a part hereof by reference.

SUBJECT TO: 1994 taxes, levies and assessments, easements recorded in Jerome County in Book 168, at page 54, instrument number 145691, instrument number 150599, instrument number 155401, instrument number 158236, instrument number 163628, and instrument number 184966.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to said property as

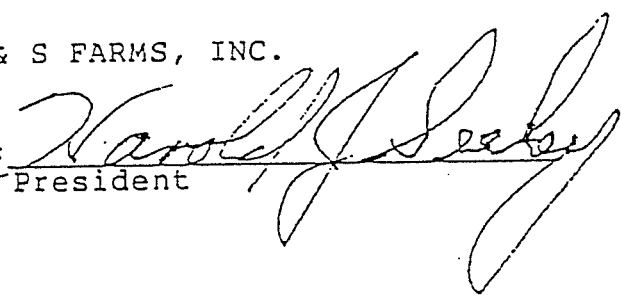
well in law as in equity of the Grantor, and all water rights appurtenant thereto evidenced by numbers 36-02340, 36-02431, 36-15165, 36-02360, and 36-02399.

TO HAVE AND TO HOLD, all and singular the above-mentioned and described premises, together with appurtenances unto the Grantee and to the heirs and assigns of Grantee forever.

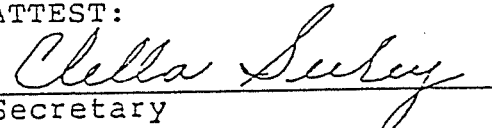
The Grantor shall and will warrant and by these presents will forever defend the said premises in the quiet and peaceable possession of the Grantee, and the heirs and assigns of Grantee against all and every person and persons whomsoever lawfully claiming the same, except as aforesaid.

IN WITNESS WHEREOF, the Grantor has executed this Deed the day and year first above written.

H & S FARMS, INC.

By: 
President

ATTEST:


Secretary

STATE OF IDAHO)
) ss.
County of TWIG FALLS)

On this 4th day of February, in the year 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared HAROLD J. SEELEY and CLELLA SEELEY, known or identified to me to be the President and Secretary of H & S FARMS, INC., the corporation that executed the instrument

or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

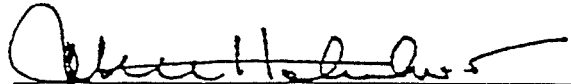

NOTARY PUBLIC FOR IDAHO
Residing at: Twin Falls, Id
My Commission Expires: Sept. 1995



EXHIBIT 1

TOWNSHIP 8 SOUTH, RANGE 21, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 8: E1/2 E1/2;
Section 9: W1/2 W1/2;
Section 10: NE1/4; E1/2 SE1/4
Section 11: NW1/4; NE1/4; SW1/4; N1/2 SE1/4;
Section 12: W1/2 NW1/4;
Section 15: NE1/4 NE1/4